

Exhibit 130:

Lymon Court Letter [MSP 1650]



STATE OF MICHIGAN

DEPARTMENT OF STATE POLICE

LANSING

GRETCHEN WHITMER

GOVERNOR

COL. JOSEPH M. GASPER

DIRECTOR

November 29, 2022

2nd Circuit Court
811 Port Street
Saint Joseph, MI 49085

Dear 2nd Circuit Court,

Based on the Michigan Court of Appeals decision in *People v Lymon* (Dkt. 327355, June 16, 2022) and advice from the Department of the Attorney General, the Michigan State Police Sex Offender Registry Unit (SOR) will remove from the registry individuals convicted solely of Unlawful Imprisonment (MCL 750.349B), Kidnapping (MCL 750.349), or Child Enticement (MCL 750.350). Individuals convicted of one of those three offenses and another registrable offense will remain on the registry, but their tier may change.

This is not a determination that the individual no longer needs to register, verify, or update as required by law.

Our records indicate that the individuals on the enclosure are registered based solely on a conviction for one of the above charges out of your jurisdiction.

Whether those listed still have registration obligations under the SORA depends on the specific facts underlying the case – whether there was a sexual component to the crime, as explained in *Lymon*. The Michigan State Police lacks the factual information necessary to determine whether someone still has SORA registration obligations. Additionally, the department recognizes registration could have been a condition of the plea or some other extenuating circumstance. As the local prosecutor's office has the necessary case-specific information, whether the individual should register in light of the *Lymon* opinion or other extenuating circumstances is left up to those offices.

Without input or direction from these agencies, these individuals will be removed from the registry 90 calendar days from the date on this letter. Currently, these individuals are on the unpublished registry. We have asked that they assess these cases and contact the department in cases where the individual will continue to register. If the determination is made after that date, in addition to contacting the department, the agency needs to contact the registrant and advise them of their registration obligations.

Registrants removed from the registry will receive a letter (copy attached). This letter will advise that they are being removed from the registry, but this does not necessarily absolve them of the duty to register.

We appreciate your time and attention to this matter.

Sincerely,

Michigan Sex Offender Registry

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